IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

TUESDAY, THE 16TH OCTOBER 2007 / 24TH ASWINA 1929

WP(C).No. 2614 of 2007(J)

PETITIONER:

AMMUKUTTY AMMA, D/O.PARUKUTTY AMMA,
AGED 85 YEARS, RESIDING AT VENDRAPPALLI HOUSE
EROOR, TRIPUNITHURA, ERNAKULAM.

BY ADV. SRI.GEORGE VARGHESE NARAYANPARAMBIL

RESPONDENTS:

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1. THE SECRETARY, ERNAKULAM URBAN
CO-OPERATIVE SOCIETY LTD.NO.7,
RAVIPURAM, ERNAKULAM, COCHIN-16.

2. THE ASSISTANT REGISTRAR OF
CO-OPERATIVE SOCIETIES, CHITTOOR ROAD,
ERNAKULAM, COCHIN-16.

3. THE REGISTRAR OF CO-OPERATIVE
SOCIETIES, THIRUVANANTHAPURAM.

R1 BY ADV. SRI.M.M.MONAYE
SRI.M.PAUL VARGHESE
R2 & R3 BY GOVT. PLEADER SRI. P.K. RAVIKRISHNAN.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 16/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC. 2614/2007.

APPENDIX

PETITIONER'S EXTS:

EXT. P1 : COPY OF NOTICE ISSUED BY THE PETITIONER TO THE 1ST RESPONDENT DATED 22.2.2006.

EXT. P2 : COPY OF THE REGISTERED LAWYER NOTICE ISSUED TO THE 1ST RESPONDENT DATED 24.4.2006.

EXT. P3 : COPY OF THE REGISTERED LAWYER NOTICE ISSUED TO THE 2ND AND 3RD RESPONDENTS DATED 21.8.2006.

K.M.JOSEPH, J.

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WP.(C) No.2614 of 2007

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Dated this the 16th day of October, 2007

JUDGMENT

Prayer in the writ petition is to direct the first respondent, Secretary of the Co-operative Society to execute the release deed in respect of the mortgaged property.

I feel that this is a case where the petitioner has to approach the authority under Section 69 of the Co-operative Societies Act. Without prejudice to the right of the petitioner to approach the authority under Section 69, the writ petition is closed.

(K.M. JOSEPH, JUDGE)

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